

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

Page 1 of 1

Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

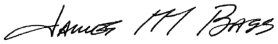
IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

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Director, Contract Services Division

DocuSigned by:

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Executive Director

115992 Mar. 25 2021

Minute	Date
Number	Passed

EXHIBIT A
DONATIONS
March 25, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Broadmoor Austin Associates	Austin District	Travis	The donor is donating the design and construction of: 1) pavement widening, signals, irrigation, landscaping, sidewalk, bike path, and storm drain just north of the intersection of Burnet Road and Esperanza Crossing; 2) northbound right turn lane from north of Esperanza to Gault Lane; 3) new traffic signal at Burnet Road and Solaris Street (Old IBM Roadway); 4) signal upgrades/modifications, and pedestrian improvements at Burnet Road and Palm Way (Uptown Boulevard); and 5) signal upgrades/modifications, and pedestrian improvements at Burnet Road and Gault Lane in Austin, Travis County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$3,300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 9/24/2020 due to a decrease in the estimated value from \$4,200,000.00 to \$3,300,000.00.)</i>	\$3,300,000.00	2/05/2021
2.	Century Land Holdings II, LLC	San Antonio District	Guadalupe	The donor is donating the design and construction of a signalization at the intersection of SH 46 at Hiddenbrooke Pass, an existing public street, in Seguin, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$250,000.00. <i>(Replaces previously acknowledged for Century Communities, Inc. on 2/25/2021 due to a change in donor.)</i>	\$250,000.00	2/24/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
3.	Fikes Wholesale, Inc.	Waco District	McLennan	The donor is donating the design and construction of approximately 120 feet long and 3 feet wide right turn lane on US 77 at the intersection of 101 Moonlight Drive in Robinson, McLennan County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$25,000.00.	\$25,000.00	2/25/2021
4.	Fikes Wholesale, Inc.	Brownwood District	Lampasas	The donor is donating the design and construction of a right turn deceleration lane from westbound US 190 into the Cefco convenience store development in Lampasas, Lampasas County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$140,000.00.	\$140,000.00	2/05/2021
5.	First Financial Bank National Association	Bryan District	Walker	The donor is donating the design and construction of a 5' wide sidewalk along SH 75 adjacent to the donor's property located in Huntsville, Walker County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$12,000.00.	\$12,000.00	2/11/2021
6.	Grangerland Development, LLC	Houston District	Montgomery	The donor is donating the design and construction of a traffic signal at the intersection of FM 3083 and Granger Pines Way/Chickadee Lane in Montgomery County, Texas. All design and construction work will be provided by the donor its consultant, or its contractor. The estimated value of the donation is \$280,000.00.	\$280,000.00	2/11/2021
7.	Grangerland Development LLC	Houston District	Montgomery	The donor is donating the design and construction of a left turn and right turn lane along FM 3083 into the donor's development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$510,000.00.	\$510,000.00	2/05/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	HLH Development, LLC	San Antonio District	Bexar	The donor is donating the design and construction of a right turn lane and installation of flashing beacon at the intersection of FM 1518 and Abbott Road in Bexar County Texas. The design and construction will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$210,000.00.	\$210,000.00	2/11/2021
9.	Hunt Communities Bastrop, LLC	Austin District	Bastrop	The donor is donating a fixed sum of \$392,460.00 towards the state's cost to design and construct a traffic signal on FM 969 and Sam Houston Drive from 0.15 miles south of Sam Houston Drive to 0.15 miles north of Sam Houston Drive in Bastrop County, Texas. All design and construction will be provided by the state.	\$392,460.00	2/05/2021
10.	Hunt Southwest - Cedar Port I, LLC	Beaumont District	Chambers	The donor is donating the design and construction of a southbound left turn lane into the donor's facility entrance on FM 1405 in Chambers County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$280,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$280,000.00	2/09/2021
11.	K & G Industrial, LLC	Austin District	Burnet	The donor is donating the fixed sum of \$53,497.60 towards the state's cost to the design and construct pavement widening and the addition of a right turn lane at the K&G Industrial driveway on eastbound SH 71 in Burnet County, Texas. All design and construction work will be provided by the state. This project will be a part of a current TXDOT project under CSJ #0700-01-045.	\$53,497.60	2/24/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
12.	Navistar San Antonio Manufacturing LLC	San Antonio District	Bexar	The donor is donating design, environmental and design assistance during the construction phase for improvements along US 281 in San Antonio, Bexar County, Texas. The improvements towards CSJ 0073-02-080 consist of additional driveways with culverts, turn lanes, cable barriers, traffic signals and u-turn access, mill and overlay, survey, pavement markings, signage, traffic control plan, Stormwater Pollution Prevention Plan, utilities, environmental studies, geotechnical investigations, drainage design and design assistance during construction phase services. All work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$340,000.00.	\$340,000.00	2/25/2021
13.	USRE Diana, LLC	Waco District	McLennan	The donor is donating the design and construction of a dedicated right turn lane into the donor's property on FM 3476 (Bagby Avenue) at Corporation Parkway intersection in Waco, McLennan County, Texas. The work will include adjusting pavement markings, roadway signage, and traffic signal improvements. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$320,000.00. <i>(Replaces previously acknowledged for TC Waco Development Associates, LLC on 2/25/2021 due to a change in donor.)</i>	\$320,000.00	2/25/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
14.	USRE Diana, LLC	Waco District	McLennan	The donor is donating funds sufficient to cover the state's cost to construct highway improvements at LP 340/SH 6 eastbound frontage road and Loop 340/Exchange Parkway to include adjusting pavement markings and roadway signage; and improvements at LP 340/SH 6 eastbound frontage road and Bagby Ave/FM 3476 to include striping, signage, and traffic signal improvements in Waco, McLennan County, Texas. All construction work will be provided by the state. The state will include the construction work as part of an existing Routine Maintenance Contract. The estimated value of the donation is \$520,000.00. <i>(Replaces previously acknowledged for TC Waco Development Associates, LLC on 2/25/2021 due to a change in donor.)</i>	\$520,000.00	2/26/2021
15.	Uvalde Realty Partners, LLC	Houston District	Harris	The donor is donating the design and construction of a right turn lane for the westbound Sam Houston Parkway frontage road into the donor's development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$140,000.00	\$140,000.00	2/09/2021
16.	Uvalde Realty Partners, LLC	Houston District	Harris	The donor is donating the design and construction of a right turn lane westbound on US 90 frontage road into the donor's development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$160,000.00.	\$160,000.00	2/09/2021
17.	WBW Single Development Group, LLC - Series 127	Waco District	Bell	The donor is donating the design and construction of an approximately 540 linear foot deceleration right turn lane on SH 317 northbound for proposed Glade Drive in Temple, Bell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$42,000.00.	\$42,000.00	2/25/2021

EXHIBIT B
DONATIONS
March 25, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Bosstex Venture Corp dba Premier Cuts	Austin	Hays	The donor is donating \$1,854.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Total Men's Primary Care	Dallas	Collin	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
3	Loung Law Firm, PLLC	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
4	Total Men's Primary Care	Dallas	Dallas	The donor is donating 1 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
5	Total Men's Primary Care	Dallas	Denton	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Frank Kent Cadillac, LLC DBA Frank Kent Cadillac of Arlington	Fort Worth	Tarrant	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
7	Total Men's Primary Care	Fort Worth	Tarrant	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
8	Reedman Enterprise, Inc. dba BurgerIM Sienna	Houston	Fort Bend	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
9	Mokaram and Associates PC dba Mokaram Law Firm	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
10	The University of Texas Medical Branch at Galveston - UTMB Health	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
11	Zeus Mortgage, LTD (dba) ZeusLending.com	Houston	Harris	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
12	Iron Cactus	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program